

# OPINION & FEATURES

## Another opaque effort

**C**ONGRESS resumes its session this week with the two chambers having divergent priorities. The Senate is focusing on economic measures to help improve the country's response to the global slump. The House of Representatives, meanwhile, is making a final push for constitutional amendments, with members ready to do away with Senate participation in the process if necessary.

House proponents of Charter change have failed to make clear to the public the reasons for their advocacy. Which provisions need changing, and why are the changes so urgent that they have to be rushed before the 2010 elections? The only thing that is clear at this point is that pro-administration

congressmen want to shift to a parliamentary system of government. Why that would mean the salvation of the government remains unclear, especially since the same faces would serve as members of parliament and even President Arroyo might become a member, with the potential to



Photo courtesy of Philstar.com

become prime minister. The prime movers of Cha-cha, including the President's two sons, have also failed to dispel fears that in a shift to a

### GUEST EDITORIAL

new system of government, the 2010 elections would have to be postponed, term limits lifted and incumbent officials allowed to stay in power in a transition period whose duration is anybody's guess at this point.

Speaker Prospero Nograles originally had a more focused objective, identifying two economic provisions whose amendment could bring in more foreign direct investments. His proposed mode of amending those two provisions, through a simple process akin to legislation whose constitutionality would have to be settled by the Supreme Court, was also controversial.

But it seems benign compared to the other House proposal, which is to completely rewrite the Constitution, even without Senate participation, in time to postpone the 2010 elections.

Nograles, reportedly faced with the threat of losing the speaker's post, now supports this proposal to convene Congress into a constituent assembly that will rewrite the Charter. As with the last sloppy signature campaign to amend the Constitution, this latest Cha-cha effort is characterized by deliberate opaqueness, which only heightens public resistance to it. With Nograles' June 6 deadline for a House decision approaching, his chamber still has not made a clear, strong case for Charter change. (Philstar.com)

## Civil war brewing in Thailand

**T**HE deteriorating situation in Thailand, which forced Thai Prime Minister Abhisit Vejjajiva to cancel for the second time the ASEAN Summit, leaves us Filipinos dumbfounded. While Asia has seen

a lot of volatility over the decades in countries like South Korea, Indonesia and the Philippines, the Thais have never been known for the kind of political violence they have exhibited over the past two years. The Thais are famous for their smiling, pacifist Buddhist culture.

To be sure, there have been 18 military coups in that country since the 1930s, but as the late Defense Secretary and former Ambassador to Thailand Rafael Iletto used to tell me, in those coups what would happen was that two military factions simply faced each other and without firing a shot one would win over the other and take over the country. Then there has always been the king who has always been loved and revered by the people, and whose summons to warring generals was enough to quiet the political tempest.

But today's situation is different. The king has not been heard from and one is left wondering if the protagonists—the red-shirted followers of deposed Prime Minister Thaksin Shinawatra and the yellow shirts supporting his opponents, who took over the international airport last year—would listen to him at this point. Two elements are key to Thailand's survival. One is Thaksin, who is believed to be funding and orchestrating the red shirts' protest actions and is now calling for a "revolution." The other is the powerful military. Its rather delayed reaction to the emergency rule declared by Abhisit has led to speculation that the military's loyalty may be divided (which wouldn't be surprising). What's easy to see is that the military, which yielded power and called for elections more than two years ago after ruling for several years, may grab power again if a bloody civil war become inevitable (which looks like the case, as the critical masses on both

### POLITICAL TIDBITS

Belinda Olivares-Cunanan

sides appear to be comparable in strength). Events in Thailand bear watching.

Social Welfare Secretary Esperanza Cabral wrote this column and later was reported in the Philippine Daily Inquirer as stressing that "the sale of a human organ from one living person to another constitutes trafficking, which is punishable under RA 9208, the Anti-Trafficking in Persons Act of 2003." She maintains that the buying or selling of kidneys is punishable with up to 20 years in prison. Her letter was triggered by two dzRH radio programs Cecile Alvarez and I held some weeks back wherein National Kidney and Transplant Institute director Enrique Ona, and Kidney Foundation of the Philippines officials Miguel Romero and Constanco de Leon argued that kidney "donations" answer a specific need among the population, and that it would be better to regulate them and monitor the donors' health condition.

It seems there's a debate among government agencies on this issue, notably between the co-chairs of the Inter-Agency Council against Trafficking, namely, Cabral and Health Secretary Francisco Duque. I can sympathize with Cabral who deplores the exploitation of "able-bodied males from farming communities in Quezon who are recruited and brought to Manila to sell their kidneys to both foreign and Filipino recipients." She stresses that this becomes a critical issue for the DSWD as it is mandated to protect the vulnerable, marginalized and poor sectors of society. Advocates of transplant argue, however, that the selling of kidneys is a reality here and the thing to do is to impose stricter regulation rather than an outright ban, which would force the trafficking to go underground. When they sought the opinion of Justice Secretary Raul Gonzalez (himself a kidney recipient from his longtime driver), he tended to lean toward regulation.

In this country, few would care to talk about kidney transplants

for foreigners as part of medical tourism, but it is happening. Internationally, the issue of kidney donation came to the fore when American singer Natalie Cole suffered renal failure and was flooded with offers of donation. To my mind, the most sensible thing is for Congress to take a good second look at RA 9208, as the dynamics of the issue have changed.

The past few weeks have brought personal sadness to us in the media. *Time* correspondent Nelly Sindayen, who had been ill for some time, was called to Allah's bosom a few weeks ago. It's not too well-known outside media circles that our editor in chief, Letty Jimenez-Magsanoc, Nelly's *kumare*, had been the organizer of monthly reunions of media and friends over the past two years either at the Magallanes Village Clubhouse or at Eggie Apostol's Makati place. The fun parties were mainly to motivate Nelly to get out of her house, which was difficult as she needed to be in a wheelchair all the time, and to raise funds for her medical bills. PEZA Director-General Lilia de Lima regularly brought a piano player and amid the cacophony of voices, Nelly would join in, vocal chords stuttering a trifle behind her memory of the lyrics, which remained sharp to the end. Actually, that's my most precious memory of her: *malong*-clad and singing in countless shindigs at Eggie's since the late martial law days.

We also lost Press Undersecretary Joe Capadocia, who was ever helpful to and appreciative of former media colleagues, as well as former Press Secretary and later Ambassador to Romania and Myanmar Noel Cabrera, who remained his friendly humble self. And there was the ever gracious Malou Frostrom, the President's appointments secretary and closest aide, always the bubbly life of any gathering. I was glad that the Palace didn't censor that photo of President Gloria Macapagal-Arroyo weeping for her departed officials in Baguio. Even a President who is ever stoic and disciplined needs to show that she values human relations and grieves for those who perished in the helicopter crash who had served her most loyally. (Inquirer.net)

## Peek into Erap's list of 2010 senatoriables

**T**ATAKBO SIYA: Don't look now, but former President Joseph "Erap" Estrada might just be around in the 2010 presidential race longer than some elitist clique or moral force may want—if not as candidate himself, probably as a king-maker.

Now looking more physically fit than he did last year, Erap is going ahead full steam in his relentless courtship of the same masa that installed him in Malacanang in 1998. Field reports and surveys show him still with a sizeable following.

Where would he swing the affection (and votes) of his fans—to the fulfillment of his own dream of a comeback or to the victory of a favored presidential candidate?

**Positioning:** The answer to that is "It depends."

It depends, first of all, on what the confidential and public surveys (they do not always tell the same story) will say shortly before the November deadline for the filing of certificates of

candidacy for the 2010 polls.

If the surveys show he would not top a field of at least four presidential candidates, why run at all, only to lose? Why suffer another humiliation after his ignominious ouster in 2001 and his conviction for plunder in 2007?

Wherever it would lead him, his positioning and runabout campaigning continues.

**Ignoring ban:** Assuming Erap sees a fighting chance and goes for it, his next problem will be the Constitutional ban on presidents running for reelection (Article VII, Section 4).

But at this point, Erap has been conditioned to think that the ban does not apply to him, because (1) he had served only less than half of the six years of his term, (2) he is not the incumbent president to whom, he thinks, the ban applies, and (3) he will not run for "reelection" which



POSTSCRIPT  
Federico Pascual Jr.

is not allowed but will just "run again."

The legal debate will drag on from the Commission on Elections, which must decide whether or not to give due course to his candidacy, and all the way to the Supreme Court.

While all these suits, pleadings, et cetera, are raging, will his name be printed on the ballot since he has not been declared with finality as ineligible? The printing presses cannot wait.

Even the Supreme Court may have reason to worry if, simultaneously with the pleadings, the surveys show that Erap is still popular enough to win. Will the tribunal consider the political factor that the ultimate voice is that of the people?

**Bag of tricks:** Whatever fate awaits him, Erap is already filling

up his campaign bag of tricks.

He goes out on "Lakbay Pasasalamat" sorties to thank the *masa* for their continued support. These forays into voter-rich districts look like campaign outings, but with everybody doing it the line between what is allowed and what is not has been blurred.

On the eve of his 72nd birthday on April 19, the putative candidate is set to distribute some 30,000 bags of goodies to neglected areas in Metro Manila.

To earn some money and, incidentally, to improve his recall, he will come out soon with TV ads for a drug for arthritis. (Recall that he had a celebrity knee problem in 2004.) He takes the medicine and somebody asks him: "*Makatatakbo ka pa ba?*" (Note the allusion to the legal question of whether or not he could run for president.)

**Erap replies:** "*Sinong nagsabing hindi? Humabol kayo!*" and off he jogs away.

**Coming soon:** Not only that.

Putting to good use his cinematic talent (a Famas Best Actor Hall of Famer), he has another movie in the making for the Metro Manila film festival this December. Expect it to be shown in theaters nationwide.

Erap will play the politically suggestive title role in *Ang Tanging Ama N'yo* to be produced by Star Cinema. It takes off from the box office hit *Ang Tanging Ina N'yo* starring comedienne-actress Ai-Ai de las Alas.

The *Tanging Ama* film may reel out like campaign material, so will the censors board or the Comelec ban it? Erap will just love that, as the ruckus will crank up the film's political mileage the way the banning of Ferdinand Marcos' *Iginuhit ng Tadhana* did decades ago.

**Kingmaker:** My fearless forecast is that despite his making presidential forma, eventually Erap will decide not to run, but will just play the role of kingmaker.

This might explain why

practically all politicians planning to run for president, vice president or senator make it a point to talk to him. Many aspirants visit him at his Polk Street redoubt in San Juan. Others send their wife or a common friend to make contact.

One thing with Erap is that he is sought by almost everybody on both sides of the fence. This is not surprising as even President Gloria Arroyo has long made peace with Erap in preparation for her exit in 2010.

With President Arroyo no longer running, all ticket combinations—regardless of tentative party labeling—are possible in 2010.

The last time we talked with Erap, btw, I saw his list of senatoriables for his Partido ng Masang Pilipino. On it were Juan Ponce Enrile, Jinggoy Estrada, Miriam Santiago, Roy Golez, Adel Tamano, Serge Osmeña, Koko Pimentel, Jojo Binay, Gina de Venecia, Grace Poe, Ted Failon, Teddy Casino, Bong Revilla, Danny Lim and Butz Aquino. But that is more than 12. (Philstar.com)

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